

REMARKS

Claims 1-49 are pending in the application. Claims 1-21 and 36-49 have been withdrawn from consideration as being directed to a non-elected invention. Accordingly, claims 22-35 are under examination in the above-identified application. Applicant has reviewed the rejections set forth in the Office Action mailed February 24, 2004, and respectfully traverse all grounds for the reasons that follow.

With regard to the maintenance of the restriction requirement, Applicant respectfully requests reconsideration and rejoinder of some or all of the groups of claims. As set forth in Applicant's previous response, examination of some or all of the groups of claims does not pose a serious burden on the Examiner. If the Examiner decides upon reconsideration that the restriction is to be maintained, Applicant respectfully requests a "second-eye review" as now implemented under the Restriction Practice Action Plan. Under the Action Plan, rejoinder practice is viewed favorably when examination of claims together would not pose a serious burden on the Examiner.

Applicant would like to thank Examiners Smith and Marschel for extending a personal interview with Applicant's representatives on March 24, 2004. As recorded in the Interview Summary, the rejection under 35 U.S.C. §§ 101 and 102 were discussed. The amendments above and remarks below are believed by Applicant to substantially conform to the subject matter discussed during the interview. Applicant respectfully requests the Examiner's reconsideration and withdrawal of these rejections.

Regarding the Information Disclosure Statement, the Office alleges that the two documents printed from the Genelogic website fail to comply with the Applicant's duty to disclose all information material to examination of the above-identified application because they do not contain the dates of public availability. The Office asserts that the date of printing does not satisfy the requirements of 37 C.F.R. §§ 1.97, 1.98 and M.P.E.P. § 609. The Genelogic printouts have been placed in the file but have not been considered on the merits.

Applicant submits that the disclosure of these documents satisfy Applicant's duty to disclose material information and, further, that the date of printing is sufficient for

*Interview
Summary
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